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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,865	07/10/2001	Che-Kuei Mai	MR2863-24	5991
4586	7590	12/28/2004	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			CARTER, TIA A	
			ART UNIT	PAPER NUMBER
			2626	

DATE MAILED: 12/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/900,865	Applicant(s) MAI ET AL.	
	Examiner Tia A Carter	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Melman et al. (US. 5359458) in view of Admitted Prior Art.

Regarding claim 1, Melman et al. discloses a method for calibrating illumination of a black-light module of an image scanning device by employing a longitudinally-extending calibration zone to obtain a back-light source with a uniform distribution of illumination in a longitudinal direction of the image scanning device (figs. 1-2, col. 3, lines 52-62), comprising the following steps:

(c) obtaining a signal representing illumination of at least one selected pixel of the calibration zone in the longitudinal direction with the optical scanning module (fig. 6, col. 11, lines 8-49);

(d) comparing the signal with pre-set reference to obtain a comparison result and manipulating the comparison result to determine a calibration parameter (figs. 9c, e-f, col. 14, lines 8-28); and

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(e) calibrating the illumination of an image with the calibration parameters in scanning an original document (figs. 9c, e-f, col. 14, lines 29-38).

Melman et al. **do not disclose** (a) activating the back-light module to form a light source and project light onto an optical scanning module of the image scanning device.

Melman et al. **do not disclose** (b) driving the optical scanning module in the longitudinal direction.

Admitted Prior Art **discloses** (a) activating the back-light module to form a light source and project light onto an optical scanning module of the image scanning device (page 2, lines 2-8).

Admitted Prior Art **discloses** (b) driving the optical scanning module in the longitudinal direction (page 2, line 10).

It would have been obvious to one skilled in the art at the time of the invention to modify Melman et al. wherein the light source (110) disclosed is defined as a back-light module providing a optimum light transmission source.

Regarding claim 4, Melman et al. disclose the method as claimed in claim 1, wherein the selected pixels comprise all pixels of the calibration zone in the longitudinal direction (fig. 7a, col. 12, lines 8-30).

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Regarding claim 5, Melman et al. disclose the method as claimed in claim 1, wherein the selected pixels comprise pixels of every given number of pixels of the calibration zone in the longitudinal direction (fig. 7, col. 12, lines 8-30).

Regarding claim 6, Melman et al. disclose the method as claimed in claim 1, wherein the reference is stored in a memory unit of the image scanning device in advance (fig. 9a, col. 13, lines 54-68).

3. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Melman et al. and Admitted Prior Art in view of Anderson, II et al. (US. 5495329).

Regarding claim 2, Melman et al. disclose the method in claim 1.

Melman et al. **do not explicitly disclose** wherein the illumination signal of each selected pixel comprises signals associated with red, green, and blue colors.

Anderson, II et al. **disclose** wherein the illumination signal of each selected pixel comprises signals associated with red, green, and blue colors 9fig. 1, col. 8, lines 61-67 and col. 9, lines 1-9).

It would have been obvious to one skilled in the art at the time of the invention to modify Melman et al. wherein the pixels calibrated in the apparatus represent RGB signals that provide compensation for color documents, which are regularly used.

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Regarding claim 3, Melman et al. disclose the method as claimed in claim 1.

Melman et al. **do not explicitly disclose** wherein the calibration parameter comprises parameters for red, green and blue colors.

Anderson, II et al. **disclose** wherein the calibration parameter comprises parameters for red, green and blue colors (fig. 1, col. 9, lines 1-19).

It would have been obvious to one skilled in the art at the time of the invention to modify Melman et al. wherein the pixels calibrated in the apparatus represent RGB signals that provide compensation for color documents, which are regularly used.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 7-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Liao (US. 5764493).

Regarding claim 7, Liao discloses a back-light module (900) for an image scanning device (fig. 1, col. 3, lines 1-4) comprising

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A casing (1) having an open bottom (fig. 5, col. 3, lines 40-42);

Tubular lighting elements (5) (fig. 5, col. 4, lines 15-17);

A light guide plate (42) arranged between the lighting elements for spreading light from the lighting elements over a surface and projecting the light from the surface (fig. 1, col. 4, lines 3-14);

A frosted light-transmissive plate attached to the open bottom of the casing, light from the light guide plate transmitted through the frosted plate for being projected to a document supporting plate surface of the image scanning device (fig. 1, col. 5, lines 23-29 and lines 35-41).

Regarding claim 8, Liao discloses the back-light module as claimed in claim 7, wherein the frosted plate comprise a frosted board made of acrylic material (fig. 1, col. 5, lines 38-40).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Maciey et al. (US. 6552829) and Koshimizu (US 2001/0030278) are cited to show related art with respect to correcting image data in scanning apparatuses.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tia A Carter whose telephone number is 703 - 306-5433. The examiner can normally be reached on M-F (7:00-3:30).


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER

Tia A Carter
Examiner
Art Unit 2626


TAC
12/7/04